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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210271
Party	Defendant KRISDIANTO LESMANA
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Submission	Answer
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Attachments	2013-5-22 Answer to Notice of Opposition 91210271.pdf(585079 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

Rich Products Corporation,	)	
	)	
Opposer,	)	
	)	Opposition No. 91210271
v.	)	
	)	Ser. No. 85711537
KRISDIANTO LESMANA,	)	
	)	
Applicant.	)	

**ANSWER**

Applicant, KRISDIANTO LESMANA, through its undersigned attorneys, hereby answers the Notice of Opposition filed by Opposer, Rich Products Corporation, filed in connection with the above-captioned opposition proceeding.

With respect to the preamble of the Notice of Opposition, Applicant denies that Opposer is being or will be damaged by the registration of U.S. trademark application Ser. No. 85711537

for the mark  .

1. Denied. Applicant filed application Ser. No. 85711537 on 23 August 2012 covering goods in International Classes 29 and 30.

2. Admit.

3. Applicant admits that application Ser. No. 85711537 was published in the Official Gazette on 19 March 2013. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 3 of the Notice of Opposition and, therefore, denies them.

4. Applicant is without sufficient information to admit or deny the allegations of Paragraph 4 of the Notice of Opposition and, therefore, denies them.

5. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of the pleaded registration Reg. No. 4,036,681. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 5 of the Notice of Opposition and, therefore, denies them.

6. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of pleaded registration Reg. No. 2,938,586. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 6 of the Notice of Opposition and, therefore, denies them.

7. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of pleaded registration Reg. No. 1,486,338. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 7 of the Notice of Opposition and, therefore, denies them.

8. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of pleaded registration Reg. No. 1,034,011. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 8 of the Notice of Opposition and, therefore, denies them.

9. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of pleaded registration Reg. No. 1,033,994. Applicant is without sufficient information to admit or deny the

remaining allegations of Paragraph 9 of the Notice of Opposition and, therefore, denies them.

10. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of pleaded registration Reg. No. 1,505,005. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 10 of the Notice of Opposition and, therefore, denies them.

11. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of pleaded registration Reg. No. 843,306. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 11 of the Notice of Opposition and, therefore, denies them.

12. Applicant denies that the print-outs attached to the Notice of Opposition satisfy the requirements of 37 CFR § 2.122(d) for submitting a current status and title copy of any of the registrations listed in Paragraph 12 of the Notice of Opposition. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 12 of the Notice of Opposition and, therefore, denies them.

13. Applicant is without sufficient information to admit or deny the allegations of Paragraph 13 of the Notice of Opposition and, therefore, denies them.

14. Applicant is without sufficient information to admit or deny the allegations of Paragraph 14 of the Notice of Opposition and, therefore, denies them.

15. Applicant admits that application Ser. No. 85711537 was filed, based on the intent-to-use provisions of 15 U.S.C. § 1051(b), on 23 August 2012 covering goods in International Classes 29 and 30 and that application Ser. No. 85711537 was published in the Official Gazette on 19 March 2013. Applicant is without sufficient information to admit or deny the remaining allegations of Paragraph 15 of the Notice of Opposition and, therefore, denies

them.

16. Denied.

17. Denied.

18. Denied.

19. Denied.

20. Denied.

21. Denied.

With respect to the unnumbered paragraph following Paragraph 21 of the Notice of Opposition, Applicant denies any allegation therein and respectfully requests that the Notice of Opposition be denied.

### **AFFIRMATIVE DEFENSES**

Applicant asserts the following affirmative defenses.

#### **First Affirmative Defense**

Applicant alleges that there is no likelihood of confusion, mistake or deception due to the differences in sound, appearance and commercial impression between its mark and the Opposer's mark.


Applicant reserves the right to raise additional defenses as may become known during the discovery and/or testimony periods.

WHEREFORE, Applicant prays that the Notice of Opposition be immediately dismissed

with prejudice and that the opposed application be promptly registered.

Respectfully submitted,

KRISDIANTO LESMANA

By:   
James R. Menker

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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing "ANSWER" was served on Opposer's attorney, Sandra M. Koenig of Fay Sharpe LLP, with an address at The Halle Building, 5th Floor, 1228 Euclid Avenue, Cleveland, OH 44115, via first class mail, postage prepaid, today 22 May 2013.

By:

  
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James R. Menker